

Serial No. 09/894,060

REMARKS/ARGUMENTS

Thorough examination of the application is sincerely appreciated. Applicant thanks the Examiner for the detailed action and helpful remarks to advance the prosecution of the application.

To expedite the prosecution of the application and clarify the patentable subject matter of the present invention, independent claims 1, 11 and 16 have been amended without conceding any points or waiving any arguments in the Office Action. Support for the added feature may be found on page 10, lines 2 – 10 of the instant specification. Entry of the amendment is respectfully requested: no new matter has been added.

According to the Office Action, claims 1 – 9 and 11 – 20 are rejected under 35 USC 102(b) as being anticipated by U.S. Patent 5,808,662 (Kinney et al). Applicant respectfully traverses the rejections for the following reasons.

Kinney is directed to a system and method for synchronized playback and control of a movie. In its more relevant portion, Kinney teaches communication between participants taking place by the transfer of a number of data structures, or events, over the network (see col. 5, lines 35 – 37 of the reference). According to Kinney, the representative events are play, stop, seek, etc.

As believed to be acknowledged by the Examiner, Kinney fails to teach or suggest, among other things, the feature of transmitting a system status signal at a predetermined rate from the first personal video recorder to the at least one second personal video recorder, as now recited in Applicant's claim 1. Such periodic status update to maintain synchronization update is not disclosed in the reference.

Pursuant to MPEP, Section 2131, to anticipate a claim, the reference must teach every element of the claim. As discussed above, Kinney fails to teach every element of Applicant's

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claim 1. Applicant, therefore, respectfully submits that independent claim 1 is not anticipated by Kinney. Withdrawal of the rejection is respectfully requested.

Independent claims 11 and 16, as amended, contain the features of claim 1 as discussed above. Applicant essentially repeats the same argument as above with reference to claim 1 and asserts that claims 11 and 16 are also allowable for the same reasons as claim 1.

Claims 2 - 9, 12 - 15 and 17 - 20 depend, either directly or indirectly, from independent claims 1, 11 and 16 and thus incorporate novel and non-obvious features thereof, in addition to further limitations. Therefore, dependent claims 2 - 9, 12 - 15 and 17 - 20 are patentably distinguishable over the prior art for at least the same reasons as independent claims. Withdrawal of the rejections is respectfully requested.


In view of the above, it is respectfully submitted that Kinney does not anticipate or render obvious the present invention because the prior art reference fails to teach or suggest all of the features of the present invention, as discussed hereinabove.

An earnest effort has been made to be fully responsive to the Examiner's correspondence and advance the prosecution of this case. In view of the above amendments and remarks, it is believed that the present application is in condition for allowance, and an early notice thereof is earnestly solicited. However, if for any reason this application is not considered to be in condition for allowance, the Examiner is respectfully requested to call the undersigned attorney at the number listed below prior to issuing a further Action.

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Please charge any additional fees associated with this application to Deposit Account No.
14-1270.

Respectfully submitted,

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